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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report to it on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS). Subsequently, the Security Council, at its informal consultations on 8 July 2002, requested me to submit a written report to it every six months.

2. Since my last report, of 5 December 2003 (S/2003/1157), my Representative in Guinea-Bissau, on 6 April 2004, briefed members of the Council on the legislative elections held on 28 March 2004, as well as on their preliminary results. The present report concentrates on developments in the country since that briefing, highlighting, in particular, further progress made by national authorities in the implementation of the transitional process due to end with the holding of presidential elections in March 2005. It also highlights the current challenges confronting the new authorities and the contributions of UNOGBIS and the United Nations country team in support of the Government's efforts to address those challenges.

II. Political developments

3. During the period under review, important progress continued to be made towards restoring constitutional order, in accordance with the Transition Charter provisions and calendar. Following the 26 January 2004 elections for the President and the Vice-President of the Supreme Court of Justice and the conduct of credible legislative elections on 28 and 30 March 2004 and the subsequent installation of a new National Popular Assembly and a new Government, the first phase of the transition has thus been completed.

4. Since the formation of the new Government on 11 May 2004, the new authorities, mindful of the popular expectation for tangible change, have established priorities for the successful completion of the transitional and mid-term periods.

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5. Their efforts have been guided by two considerations. The first is to consolidate national reconciliation and to ensure the full restoration of constitutional order and fortify the rule of law and respect for human rights. The second is to continue developing stable and constructive relations with the country's neighbours and other international partners.

6. Among the concrete priority objectives set by the Government are the creation of necessary institutional capacity for assuming national responsibility for good governance, accountable and transparent financial management and the improvement of socio-economic conditions.

A. The results of the legislative elections of 28 and 30 March 2004

7. The election results announced by the National Electoral Commission on 4 April 2004 showed that the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC) obtained 45 seats in the 102-member National Popular Assembly, while the party of former President Yala, the Party of Social Renewal (PRS), obtained 35 seats. The United Social Democratic Party (PUSD), led by Francisco Fadul, received 17 seats, with 2 seats going to the Electoral Union (UE) and 1 seat to the United Popular Alliance (APU). Thus, none of the parties received an absolute majority.

8. After the publication of the results and the subsequent ruling by the Supreme Court rejecting claims of fraud by PRS and APU, all four parties accepted the results and reached agreement on the formal composition and opening of the National Popular Assembly. With the transfer, on 7 May 2004, by the National Transition Council of its power to the newly elected National Popular Assembly and the Assembly's inauguration, the Council ceased to exist as provided for in the Transition Charter. For the first time in Guinea-Bissau's history, the National Popular Assembly included two female members in its five-member Parliamentary Bureau.

B. Establishment of a new Government

9. Following the inauguration of the National Popular Assembly, the President of the Republic appointed Carlos Gomes Junior, head of PAIGC, as Prime Minister. On 11 May 2004, Mr. Gomes Junior announced a 24-member Government which, though composed exclusively of PAIGC supporters, represented all ethnic groups and included five women. High-level delegations from Angola, Cape Verde, Portugal, South Africa, the Community of Portuguese-Speaking Countries and the Economic Community of West African States (ECOWAS) attended the official investiture of the new Government on 12 May 2004.

10. To facilitate further the ongoing constructive political dialogue, UNOGBIS organized a meeting, on 19 May 2004, between the new Government, the Bureau of the National Popular Assembly and representatives of the international community, including ambassadors accredited in Bissau and representatives of United Nations agencies. The meeting encouraged the new authorities to build on the progress achieved so far in the normalization of the political situation, based in particular on their faithful adherence to the provisions of the Transition Charter.

III. Military and security aspects

11. The overall situation in the country has remained peaceful. However, the ethnic imbalance within the military, unpaid salary arrears for security forces as well as the poor condition of barracks and infrastructure continue to be seen as potentially destabilizing factors. Meanwhile, the authorities have recognized that the reorganization of the armed forces remains one of the country's top priorities.

12. At the request of the Chief of Staff of the Armed Forces, General Verissimo Correia Seabra, UNOGBIS, in close collaboration with ECOWAS and bilateral partners, has initiated the planning process for the proposed reform of the armed forces.

13. With regard to the demobilization, reinsertion and reintegration programme, the reintegration component is proceeding well and the Government has received additional resources from the World Bank to increase the number of beneficiaries to 7,376 from 4,372.

14. Under the supervision of the United Nations Development Programme-supported National Mine Action Coordination Authority, progress towards the elimination of mine-related risks continues. Seventeen suspected minefields and unexploded ordnance battlefields have been identified in and around the capital. At the end of April 2004, the two national mine clearance non-governmental organizations had removed 2,550 landmines and 15,000 unexploded ordnances within an area of 615,000 square metres in Bissau. The United Nations Development Programme (UNDP), the United Nations Children's Fund and the World Food Programme have provided support to various dimensions of mine action. On 27 April 2004, the Government of Germany contributed €520,000 through two non-governmental organizations, CARITAS and HUMAID, to support the demining operations.

IV. Human rights aspects

15. In the ongoing effort to help reinforce national capacity for the protection and respect of human rights, UNOGBIS has helped to develop a National Human Rights Action Plan, which was submitted to the Inter-ministerial Committee in March 2004. That body, which is composed of two senior representatives from each ministry, was established at the initiative of UNOGBIS with a view to incorporating human rights principles into the day-to-day work of the Government. The Committee is expected to submit a final plan to the National Popular Assembly

16. During the reporting period, UNOGBIS continued to follow closely the cases of 20 persons accused of attempted coups d'état and arbitrarily detained since December 2002. Their continued detention presents a challenge for the authorities, since many of the detainees have now been held almost 18 months without being formally charged. Some have been questioned by the Army Investigation Committee and the Military Tribunal, while the State Prosecutor has reported that he was unaware of the detention of others. To assess detention conditions, UNOGBIS periodically visited the detainees and made recommendations to the authorities. Following the intervention of the Office with the President of the Supreme Court of Justice, UNOGBIS received assurances that as the military tribunal lacked adequate

logistical and financial means, the trial of those detainees would proceed in criminal courts so as to avoid any further delay.

17. Furthermore, UNOGBIS has been seeking to introduce human rights education at all levels of the educational system. The University of Bissau, which is planning to provide law courses, is also working with UNOGBIS on the introduction of human rights courses. The education campaign will be centred on a handbook on human rights, together with a poster on the Universal Declaration of Human Rights, both of which were designed and published in Portuguese by UNOGBIS.

18. UNOGBIS has also continued to promote gender equality and the implementation of Security Council resolution 1325 (2000) on women, peace and security. The election of a woman, Maria do Céu Silva Monteiro, as President of the Supreme Court and the appointment of five women to ministerial posts and two women in the Bureau of the National Popular Assembly are encouraging developments which show the growing realization by the national authorities of the important role women play in the political process. Together with other entities of the United Nations, UNOGBIS is continuing to work with the Government for the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

V. Economic and social aspects

19. The economic situation in Guinea-Bissau remains difficult, with two out of three people living in poverty, while the country's public finances continue to experience severe limitations.

20. To respond to the economic and budgetary crisis, the Transitional Government, supported by the International Monetary Fund (IMF), the World Bank, the African Development Bank (ADB) and UNDP, formulated an emergency budget for 2004 and an emergency economic management plan, delineating key commitments in the areas of fiscal responsibility and good governance to ensure a way forward towards early recovery. A financing gap of US$ 18.3 million was initially recorded in the emergency budget and is expected to be updated with the assistance of IMF during its upcoming mission in June 2004.

21. To support the country in the implementation of the emergency economic management plan, a special multidonor Emergency Economic Management Fund for Guinea-Bissau, initiated by the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council, has been set up to enable the Government to resume the provision of social services and key public administration activities. The Fund, established within the framework of a partnership approach elaborated by the Group and administered by UNDP, is intended to be operational until the end of 2004. The Fund has so far received contributions amounting to just over $4 million, out of an overall target of $18.3 million; there is thus a shortfall of over $14 million.

22. Among the contributors to the Fund, the Netherlands provided $2,137,767, Sweden, $961,538, Portugal (through the Community of Portuguese-Speaking Countries), $504,568, France, $621,890 and Brazil (through the Community of Portuguese-Speaking Countries), $50,000. The Fund has already disbursed $2,459,950 that were used by the Government to pay January through April 2004 salaries for 11,000 civil servants. Unpaid salary arrears still constitute a critical

problem for the country, especially given that the State revenues have been far short of projections.

23. In the first four months of 2004, the Government of Guinea-Bissau has also benefited from bilateral donations in the amount of about $7 million from Portugal, Ghana, Angola and the West African Economic and Monetary Union.

24. In December 2003, the Country Director for Guinea-Bissau of the World Bank (WB) visited the country for high-level talks and later announced that Guinea-Bissau would be receiving a $13 million credit from the Economic Rehabilitation and Recovery Credit suspended nearly three years ago. After the recent establishment, in May 2004, of the new Government, preparations were launched to facilitate the visit of a joint IMF/WB/ADB mission to Guinea-Bissau in June 2004 to assist the authorities with updating the budget outlook for the remainder of the year and finalize the long-overdue technical assistance master plan for the Ministry of Economy and Finance. In addition, the mission plans to use this opportunity to present the new World Bank interim support strategy to the Government and the donor community. Meanwhile, UNDP, in coordination with the international community and the Bretton Woods institutions, intends to organize a round table conference in the last quarter of the year.

VI. Observations

25. The successful holding of the March 2004 legislative elections marked a major step forward towards restoring constitutional order to Guinea-Bissau. I wish to commend the transitional authorities for their commitment to the implementation of the provisions of the Transition Charter and to promote the rule of law. In addition, I would like to thank the people of Guinea-Bissau for their patience, maturity and dedication to democracy exemplified by their desire to exercise their right to vote during those elections.

26. I am encouraged by the manner in which the country's principal actors managed to reach consensus on critical political challenges they faced during and after the elections. This bodes well for the future.

27. In Guinea-Bissau's semi-presidential system, the ability of the President and the Prime Minister to work in close collaboration towards shared goals would be a key factor for effective leadership and institutional stability.

28. Given that peace cannot be built by outsiders, it is imperative that the Government remain in the lead. If the elected leaders are unable or unwilling to shoulder their sovereign responsibilities, especially in the absence of viable and accountable State structures, neither peace nor development can emerge or endure.

29. I am encouraged by signs of greater participation of women in the political life of the country. UNOGBIS has been encouraged to continue its efforts to promote further gender equality through, in particular, the strengthening of the capacity of women from various political parties in peace-building and conflict resolution.

30. On the whole, the democratization process in Guinea-Bissau remains fragile. The country continues to need the support of the international community to complete the transition to constitutional order. It also lacks resources to strengthen

the capacity of State institutions and structures to address the country's deep-rooted structural problems.

31. I commend the work undertaken by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council, the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council and the Group of Friends of Guinea-Bissau. Their combined efforts have played a significant role in energizing the United Nations system, the Bretton Woods institutions, subregional organizations and other partners of Guinea-Bissau to assist the country in addressing both its short-term post-conflict crisis and longer-term development goals. The Emergency Economic Management Fund, established as a result of these efforts, is a useful instrument in channelling financial assistance to the country.

32. I wish to commend the efforts of the country's partners who have helped Guinea-Bissau to complete the first phase of the transition and call on them to continue their support to help the country successfully complete the transitional process in March 2005. I hope that the holding of a successful round table conference, planned for the last quarter of this year, will help respond to some of the most urgent needs of Guinea-Bissau.

33. I also wish to commend strongly the continued engagement of the Bretton Woods institutions in the country and encourage their enhanced constructive involvement in Guinea-Bissau.

34. Finally, I should like to pay tribute to the staff of UNOGBIS and the entire United Nations country team for their persistent and tireless work. In particular, I wish to pay tribute to my former Representative, David Stephen, who served in Guinea-Bissau from February 2002 to April 2004, until his retirement from the United Nations. His dedicated efforts greatly contributed to the restoration and consolidation of peace in that country.